



Washington, D. C. 20505

## DIRECTORATE OF INTELLIGENCE

27 October 1983

SOUTH AFRICA: Constitutional Referendum*Summary*

On 2 November South Africa will hold a referendum on constitutional reform proposals, climaxing a year of intense debate over the country's political future. Though over 25 percent of the all white electorate remains undecided, most polls conducted in the past two months indicate that the new constitution--whose most important provisions grant limited political rights to South Africa's Colored and Asian minorities but not to the black majority--will be approved by a comfortable majority. [redacted]

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The debate over the issue nonetheless has caused deep strain within the ruling Afrikaner community and its political instrument, the National Party. As a result, we believe Prime Minister P.W. Botha will move cautiously to implement the constitutional reforms while seeking to heal wounds in the Afrikaner community. Botha is particularly unlikely, in our view, to make any new compromises in the Namibia settlement process that would give political ammunition to his conservative Afrikaner political opponents. [redacted]

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This memorandum requested by Frederick Wettering, Director of African Affairs, National Security Council. It was prepared by [redacted] South Africa Branch, Office of African and Latin American Analysis. It was coordinated with The Directorate of Operations. Comments and queries may be directed to the Chief, Africa Division [redacted]

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*Colored, Indian, and black opposition to the constitutional reforms has crystallized around the United Democratic Front (UDF), a coalition of black, Colored, and Indian organizations. We believe that pressure from the UDF will limit Colored and Indian participation in elections for new legislative bodies, but that it will not prevent some moderate Colored and Indian politicians from serving in the restructured government.* [ ]

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### The New Constitution

The role the new constitution gives to the 2.5 million Coloreds and 900,000 Indians is carefully defined and limited. The two nonwhite groups will gain marginally more authority over their own affairs, but the country's system of racially separate development will not be fundamentally altered. Existing apartheid legislation, which also affects Coloreds and Indians, will remain in force. [ ]

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The central feature of the new constitution is the provision for the establishment of separate nonwhite chambers of Parliament with authority to legislate on matters relating to the "communal affairs" of Coloreds and Indians. The precise definition of communal affairs is somewhat vague, but encompasses a limited range of matters such as primary and secondary education, community planning and development, and some social welfare functions. [ ]

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Matters of "common concern" that relate to more than one population group will be dealt with in joint standing committees made up of representatives from the white, Colored, and Indian chambers and then voted on by each body. These will include agriculture, commerce and industry, defense, foreign affairs, justice, communications, public works, and finance. Budget legislation--including money provided to the separate racial groups for spending on their own affairs--will also be dealt with as a matter of common concern. [ ]

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Although each chamber of Parliament will in theory have equal powers, white, Colored, and Indian representation in the three chambers and communities is expected to be fixed at a ratio of 4:2:1, a formula that ensures an absolute white majority on matters of common concern. [ ]

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As an additional safeguard to ensure white dominance, the President's Council--currently a government advisory group composed of whites, Coloreds, and Indians--will be reconstituted as a legislative body and given the role of final arbitrator in legislative disputes between the three chambers. Of its 60 members, 20 will be elected by the white

chamber of Parliament, 10 by the Colored chamber, five by the Indian chamber, and 25 will be appointed by the president. [REDACTED]

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Finally, the new constitution will create a strong executive president who will have broad veto powers as well as authority to assume total control in times of national emergency. [REDACTED]

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### White Attitudes

The debate over these reforms has been particularly divisive within the Afrikaner community. Conservative Nationalist opposition to any national political role for the "brown people" led Botha, in the spring of 1982, to oust a small but influential group of rightists led by Andries Treurnicht from the ruling party. This was the first major breakdown in Afrikaner political unity since the Nationalists came to power in 1948. The acrimonious debate over the issue has spread to Afrikaner institutions such as the Dutch Reformed Church, the Afrikaans universities, and the Broederbond. [REDACTED]

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Prime Minister Botha now finds himself facing the unlikely opposition of both right-wing Afrikaners and liberal English-speakers. The right rejects the new constitution as the first step on a slippery slope of reform that will begin by compromising white authority and end by destroying it. The liberal Progressive Federal Party (PFP), the largest opposition party, argues that the reforms are meaningless because they do not include the black majority and they can only lead to racial conflict. Both conservatives and liberals also are strongly opposed to articles in the new constitution that provide for the establishment of a State President with strong executive powers, fearing a diminution of the role of Parliament and the accretion of additional power by military officers and bureaucrats loyal to the chief executive. [REDACTED]

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The Nationalists have mounted an extensive media campaign in support of the new constitution. Botha's conservative Afrikaner opponents have been hurt by their failure to gain control of a daily newspaper and by their lack of access to the government-owned television network. Moreover, while Botha has been able to raise almost \$3 million from the Afrikaner and English business communities for the media campaign, Treurnicht and his allies have limited financial resources. [REDACTED]

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Nonetheless, Afrikaner disunity has forced the Nationalists to seek political support among the English. In the last two months, Botha has sought and received endorsement for his reforms from several English newspapers, as well as from commercial organizations and former leaders of

English-speaking opposition parties. While some important business leaders have publicly opposed the referendum, apparently because of pressure from black unions, English and South African business journals report that the commercial community believes that a negative vote will damage South Africa's international credit standing. [redacted]

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Although the Progressive Federal Party, the official opposition party and the strongest force in the English community, is calling for a negative vote, political surveys indicate that 25 to 50 percent of PFP supporters will vote yes or abstain. They believe that the constitution is flawed, but they recognize that the Prime Minister's defeat would strengthen the role of conservative Afrikaners. Even PFP leader Van Zyl Slabbert believes that a majority of English speakers will support the Prime Minister. [redacted]

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Recent South African political polls on the referendum show the "yes" votes leading the "no" votes by 15 to 25 percent, but with more than 25 percent as yet undecided. One survey of urban voters conducted in September indicates that 36 percent favor and 18 percent oppose the new constitution. Two nationwide surveys indicate a 60-40 vote in favor of the referendum. [redacted]

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Although the constitution bill has already been passed by Parliament, Botha has tied its implementation to the outcome of the referendum. [redacted]

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### Implementation

Assuming the referendum on the new constitution passes, Botha will implement its major provisions in the following sequence, according to a South African constitutional expert:

- Elections to constitute the Houses of Representatives (Coloreds) and Delegates (Indians) will in all likelihood be scheduled for early 1984. There probably will not be elections for the House of Assembly (whites); the constitution bill provides for the extension of the life of the existing all-white Parliament for five years following the full implementation of the new constitution.
- Following these elections, an executive State President--undoubtedly Botha--will be chosen by an electoral college consisting of 50 whites, 25 Coloreds, and 15 Indians drawn from the tri-cameral legislature. Since the electors are picked by the majority party of each house, the National Party is guaranteed a majority in the electoral college.
- Upon taking office, the State President will appoint a

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national cabinet and a Prime Minister from any of the three houses or from outside Parliament. The President will also appoint separate cabinets for each of the three ethnic legislatures, which are empowered to deal with their own community interests. In this new system, the Prime Minister will not be responsible to the majority party in the parliamentary chamber but directly to the State President.

[REDACTED]

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### Colored and Indian Reaction

The strongest political movement in the Colored community in favor of political cooperation with the white political system is the Labor Party. The leaders of the Labor Party maintain that the Colored people cannot forego participating in the new constitutional process, noting that a previous boycott of a national election led to the victory of the National Party and the eventual disenfranchisement of the Colored people.

[REDACTED]

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Political polls indicate that a large majority of Coloreds and Indians do not support the reforms, believing that they do not offer genuine power. In this summer's elections in Colored communities for local councils, an unusually high percentage of Coloreds abstained, apparently in an effort to register their disapproval of the constitutional reforms. In the Cape Peninsula, where more than a third of the Colored population resides, a very low voter turnout of from 2 to 12 percent was registered. Polls taken in the Colored community in late 1982 indicated that political parties identified with Botha's proposed political reforms had only about 30 percent support in their community.

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Minister of Constitutional Development Chris Heunis has strengthened National Party ties to the Labor Party.

[REDACTED]

Reporting from [REDACTED]

Embassy sources also indicates that the Labor Party has entered into an informal electoral alliance with the Nationalists, agreeing to publicly support the reforms prior to the white referendum in exchange for electoral changes that would benefit their candidates in the Colored elections.

[REDACTED]

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The Indians are as badly fragmented as the Coloreds. In the 1981 local elections, less than 10 percent of Indian voters participated. Indian commercial and political leaders fear that Indian participation in the new constitutional structures will precipitate a violent black reaction directed at them. (The Indian community is concentrated in Natal near the Zulu homeland, and there have been incidents of violence between

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Zulus and Indians.) A few Indian politicians have taken a leading role in founding the United Democratic Front (UDF), a multi-racial movement that supports an electoral boycott. [REDACTED]

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### Black Reaction

The black majority is unified in its opposition to the National Party's constitutional reforms. Kwazulu Chief Minister Gatsha Buthelezi, leader of the most powerful political movement in South Africa, opposes the reforms and has publicly threatened violence if they are introduced. Anglican Bishop Desmond Tutu has publicly told Coloreds and Indians that they will suffer for supporting the proposals when South Africa is ruled by blacks. [REDACTED]

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Opposition in the black community has coalesced around the nascent United Democratic Front. In the last three months, the UDF has developed into a coalition of approximately 400 anti-apartheid organizations, potentially the most powerful protest movement in South Africa since the anti-government protest campaign of the early 1950s. [REDACTED]

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In recent conversations with American diplomats, senior South African Security Police officers have described the UDF as "the internal wing of the African National Congress" (ANC), and Pretoria has already begun to prohibit UDF meetings. Arrests and detentions of the UDF leadership will probably follow if the UDF threatens to disrupt elections in the Colored and Indian communities. [REDACTED]

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### Outlook\*

At this juncture, we see no reason to question recent political polls and anticipate that the new constitution will be approved in the referendum. We also expect Botha to implement the reforms in roughly the manner outlined by the constitutional expert. The turnout of Colored and Indian voters in elections for the new chambers of Parliament will in all likelihood be low and the government may end up appointing some members to fill empty seats. [REDACTED]

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[REDACTED]

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We expect these steps to be carried out with little fanfare. Botha is aware of the deep strains caused by the debate over the constitutional reforms and will seek to heal wounds in the Afrikaner community. The government will probably fail, however, to still the controversy over the changes it will have wrought and the debate over the reforms will probably continue even as they are implemented. This will be particularly true if, as is likely, the ANC attempts to underscore black opposition to the reforms by stepping up its low level campaign of bombings and sabotage. [REDACTED]

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The intensification of the debate over the constitution during the past months has pushed foreign policy issues to the back burner. As Botha moves cautiously to implement the new reforms we do not believe that he will risk further splits in the Afrikaner community by pushing for progress on the Namibian question. Indeed, we expect South Africa to continue an aggressive regional policy following the referendum as Botha knows that it plays well with the white community in general and the conservative wing of the Afrikaner community in particular. [REDACTED]

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If we are wrong and the constitutional reforms are defeated in the referendum, we believe Botha's tenure as Prime Minister could be in jeopardy. The rejection of reform by the white electorate would probably cause the National Party to consider replacing him with a less reform-minded leader who would heal the splits in the Afrikaner community. [REDACTED]

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